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EXAMINER
JONES, HEATHER RAE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 November 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-55</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-55</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>11/9/2007</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed November 9, 2007 have been fully considered but

they are not persuasive.

The Applicant argues on page 14, lines 18-22 that Ando et al. fails to

disclose or suggest "a clip information area storing at least one clip information

file, each clip information file being associated with at least one stream file stored

in a data area, the clip information file providing a map for the associated stream

file, each map mapping representation time information to address information

for the associated stream file". The Examiner respectfully disagrees. The

definition of a clip is an audiovisual stream, which Ando et al. discloses in Figs. 3

and 4 (col. 7, lines 7-63; col. 9, lines 1-33). As can be seen from Figs. 3 and 4

the audiovisual stream is stored in a data area (112). Furthermore, Ando et al.

discloses the mapping information for presentation times in Figs. 3 and 4 in row

(i) of each figure. Therefore, Ando et al. discloses the meets the claim limitations

and the rejection is maintained.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

3.   Claims 1-55 rejected under 35 U.S.C. 102(e) as being anticipated by Ando et al.

(U.S. Patent 7,054,545).

Regarding claim **1**, Ando et al. discloses a computer readable medium

having a data structure for managing reproduction duration of still pictures,

comprising: a clip information area storing at least one clip information file, each

clip information file being associated with at least one stream file stored in a data

area, the clip information file providing a map for the associated stream file, each

map mapping representation time information to address information for the

associated stream file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); and a

playlist area storing at least one playlist (col. 11, lines 12-15), the playlist

referencing the clip information file and including at least one playitem and at

least one sub-playitem (Figs. 7, 8, and 10), the playitem providing navigation

information indicating at least one still picture from a first file to reproduce and

providing duration information for display of the still picture, and the sub-playitem

providing navigation information for reproducing audio data from a second file

(Figs. 7, 8, and 10; col. 11, lines 31-35; col. 15, lines 34-36).

Regarding claim **2**, Ando et al. discloses all the limitations as previously

discussed with respect to claim 1 as well as the recording medium further

comprising: a data area storing the first and second files (Figs. 1 and 7; col. 5,

lines 29-33).

Regarding claim **3**, Ando et al. discloses all the limitations as previously discussed with respect to claim 1 including that the playitem provides navigation information for reproducing presentation data from the first file, the presentation data includes at least the still picture and related data associated with the still picture (Figs. 1 and 11).

Regarding claim **4**, Ando et al. discloses all the limitations as previously discussed with respect to claims 1 and 3 including that the related data includes graphics data (Figs. 6A and 6B).

Regarding claim **5**, Ando et al. discloses all the limitations as previously discussed with respect to claims 1 and 3 including that the related data includes subtitle data (Figs. 6A and 6B).

Regarding claim **6**, Ando et al. discloses all the limitations as previously discussed with respect to claims 1 and 3 including that the presentation data is divided into one or more still picture units such that each still picture unit includes at least one still picture and associated related data (Figs. 1 and 11).

Regarding claim **7**, Ando et al. discloses all the limitations as previously discussed with respect to claim 1 as well as the computer readable medium further comprising: a data area storing the first file, and the first file does not include audio data (Fig. 1 – image, audio, and text files are stored separately).

Regarding claim **8**, Ando et al. discloses all the limitations as previously discussed with respect to claim 1 including that the duration information indicates

whether to display the still picture for one of a finite and an infinite period of time (col. 39, lines 38-50).

Regarding claim **9**, Ando et al. discloses all the limitations as previously discussed with respect to claims 1 and 8 including that the duration information indicates a length of time to display the still picture when the duration information indicates to display the still picture for a finite period of time (col. 39, lines 38-50).

Regarding claim **10**, Ando et al. discloses a computer readable medium having a data structure for managing reproduction duration of still pictures, comprising: a clip information area storing at least one clip information file, each clip information file being associated with at least one stream file stored in a data area, the clip information file providing a map for the associated stream file, each map mapping representation time information to address information for the associated stream file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); a playlist area storing at least one playlist file (col. 11, lines 12-15), the playlist file referencing the clip information file and including at least one playitem and at least one sub-playitem (Figs. 7, 8, and 10), the playitem providing navigation information indicating at least one still picture from a first data stream to reproduce and providing duration information for display of the still picture, the sub-playitem providing navigation information for reproducing an audio stream from a second data stream separate from the first data stream (Figs. 7, 8, and 10; col. 11, lines 31-35; col. 15, lines 34-36).

Regarding claim **11**, Ando et al. discloses all the limitations as previously

discussed with respect to claim 10 including that the duration information

indicates whether to display the still picture for one of a finite and an infinite

period of time (col. 39, lines 38-50).

Regarding claim **12**, Ando et al. discloses all the limitations as previously

discussed with respect to claims 10 and 11 including that the duration information

indicates a length of time to display the still picture when the duration information

indicates to display the still picture for a finite period of time (col. 39, lines 38-50).

Regarding claim **13**, Ando et al. discloses a computer readable medium

having a data structure for managing reproduction duration of still pictures,

comprising: a data area storing presentation data (Figs. 1 and 7; col. 5, lines 29-

33), the presentation data being divided into a number of still picture units, each

still picture unit including at least one still picture and associated related data, the

related data not including audio data (Figs. 1 and 11); a clip information area

storing at least one clip information file, each clip information file being

associated with at least one stream file stored in a data area, the clip information

file providing a map for the associated stream file, each map mapping

representation time information to address information for the associated stream

file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); and a navigation area

storing at least one playlist (col. 11, lines 12-15), the playlist referencing the clip

information file and including at least one playitem, the playitem indicating at

least one of the still picture units to reproduce and providing duration information

for display of the still picture in the still picture unit (Figs. 7, 8, 10, and 11; col. 39, lines 38-50).

Regarding claim **14**, Ando et al. discloses all the limitations as previously discussed with respect to claim 13 including that the related data in at least one still picture unit includes graphics data (Figs. 6A and 6B).

Regarding claim **15**, Ando et al. discloses all the limitations as previously discussed with respect to claim 13 including that the related data in at least one still picture unit includes subtitle data (Figs. 6A and 6B).

Regarding claim **16**, Ando et al. discloses all the limitations as previously discussed with respect to claim 13 including that the data area stores the presentation data in a first clip file, and stores audio data in a second clip file (Fig. 1 – image, audio, and text files are stored separately).

Regarding claim **17**, Ando et al. discloses all the limitations as previously discussed with respect to claims 13 and 16 including that the playlist further includes at least one sub-playitem, the sub-playitem providing navigation information for reproducing the audio data from the second clip file (Figs. 7, 8, and 10; col. 11, lines 31-35; col. 15, lines 34-36).

Regarding claim **18**, Ando et al. discloses all the limitations as previously discussed with respect to claim 13 including that each still picture unit includes only one still picture (Figs. 7, 8, and 10).

Regarding claim **19**, Ando et al. discloses all the limitations as previously discussed with respect to claim 13 including that the duration information

indicates whether to display the still picture for one of a finite and an infinite

period of time (col. 39, lines 38-50).

Regarding claim **20**, Ando et al. discloses all the limitations as previously

discussed with respect to claims 13 and 19 including that the duration information

indicates a length of time to display the still picture when the duration information

indicates to display the still picture for a finite period of time (col. 39, lines 38-50).

Regarding claim **21**, Ando et al. discloses a computer readable medium

having a data structure for managing reproduction duration of still pictures,

comprising: a data area storing presentation data in a first clip file and audio data

in a second clip file (Figs. 1 and 7; col. 5, lines 29-33), the presentation data

being divided into a number of still picture units, each still picture unit including at

least one still picture and associated related data (Figs. 1 and 11); a clip

information area storing at least one clip information file, each clip information file

being associated with at least one stream file stored in a data area, the clip

information file providing a map for the associated stream file, each map

mapping representation time information to address information for the

associated stream file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); and a

playlist area storing at least one playlist (col. 11, lines 12-15), the playlist

referencing the clip information file and including at least one playitem and at

least one sub-playitem (Figs. 7, 8, and 10), the playitem providing navigation

information indicating the presentation data from the first clip file to reproduce

and providing duration information for display of each still picture indicated for

reproduction, the sub-playitem providing navigation information for reproducing the audio data from the second clip file (Figs. 7, 8, and 10; col. 11, lines 31-35; col. 15, lines 34-36).

Regarding claim **22**, Ando et al. discloses all the limitations as previously discussed with respect to claim 13 including that the duration information indicates, for each still picture, whether to display the still picture for one of a finite and an infinite period of time (col. 39, lines 38-50).

Regarding claim **23**, Ando et al. discloses all the limitations as previously discussed with respect to claims 13 and 22 including that wherein the duration information indicates a length of time to display a still picture when the duration information of the playitem indicates to display a still picture for a finite period of time (col. 39, lines 38-50).

Regarding claim **24**, Ando et al. discloses a method of recording a data structure for managing reproduction duration of at least one still picture on a recording medium, comprising: recording at least one clip information file area of the recording medium, each clip information file being associated with at least one stream file stored in a data area of the recording medium and providing a map for the associated stream file, each map mapping representation time information to address information for the associated stream file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); and recording at least one playlist on the recording medium (col. 11, lines 12-15), the playlist referencing the clip information file and including at least one playitem and at least one sub-playitem

(Figs. 7, 8, and 10), the playitem providing navigation information indicating at least one still picture from a first file to reproduce and providing duration information for display of the still picture, and the sub-playitem providing navigation information for reproducing audio data from a second file (Figs. 7, 8, and 10; col. 11, lines 31-35; col. 15, lines 34-36).

Regarding claim **25**, Ando et al. discloses a method of reproducing a data structure for managing reproduction duration of at least one still picture recorded on a recording medium, comprising: reproducing a playlist and at least one clip information file referenced by the playlist from a recording medium, each clip information file being associated with at least one stream file and providing a map for the associated stream file, each map mapping representation time information to address information for the associated stream file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); and reproducing at least one playitem and at least one sub-playitem from the playlist (Figs. 7, 8, and 10), the playitem providing navigation information indicating at least one still picture from a first file to reproduce and providing duration information for display of the still picture, and the sub-playitem providing navigation information for reproducing audio data from a second file (Figs. 7, 8, and 10; col. 11, lines 31-35; col. 15, lines 34-36).

Regarding claim **26**, Ando et al. discloses in Fig. 14 an apparatus for recording a data structure for managing reproduction duration of at least one still picture on a recording medium, comprising: an optical recording device configured to record data on the recording medium; a controller configured to

control the optical recording device to record at least one clip information file in a clip information file area of the recording medium, each clip information file being associated with at least one stream file stored in a data area of the recording medium and providing a map for the associated stream file, each map mapping representation time information to address information for the associated stream file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); and the controller configured to control the optical recording device to record at least one playlist on the recording medium (col. 11, lines 12-15), the playlist referencing the clip information file and including at least one playitem and at least one sub-playitem (Figs. 7, 8, and 10), the playitem providing navigation information indicating at least one still picture from a first file to reproduce and providing duration information for display of the still picture, and the sub-playitem providing navigation information for reproducing audio data from a second file (Figs. 7, 8, and 10; col. 11, lines 31-35; col. 15, lines 34-36).

Regarding claim **27**, Ando et al. discloses in Fig. 14 an apparatus for reproducing a data structure for managing reproduction duration of at least one still picture recorded on a recording medium, comprising: an optical reproducing device configured to reproduce data recorded on the recording medium; a controller configured to control the optical reproducing device to reproduce a playlist and at least one clip information file referenced by the playlist from the recording medium, each clip information file being associated with at least one stream file and providing a map for the associated stream file, each map

mapping representation time information to address information for the

associated stream file (Figs. 3 and 4; col. 7, lines 7-63; col. 9, lines 1-33); and the

controller configured to control the optical reproducing device to reproduce at

least one playitem and at least one sub-playitem from the playlist (Fig. 7; col. 8,

lines 46-56), the playitem providing navigation information indicating at least one

still picture from a first file to reproduce and providing duration information for

display of the still picture, and the sub-playitem providing navigation information

for reproducing audio data from a second file (Figs. 7, 8, and 10; col. 11, lines

31-35; col. 15, lines 34-36).

Regarding claims **28-34**, grounds for rejecting claims 3-9 apply for claims

28-34 respectively in their entireties.

Regarding claims **35-41**, grounds for rejecting claims 3-9 apply for claims

35-41 respectively in their entireties.

Regarding claims **42-48**, grounds for rejecting claims 3-9 apply for claims

42-48 respectively in their entireties.

Regarding claims **49-55**, grounds for rejecting claims 3-9 apply for claims

49-55 respectively in their entireties.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

        a.   Kato et al. (U.S. Patent Application Publication 2002/0145702) discloses a

        computer readable medium comprising clip information and files along with

        mapping the presentation times of the clips. Kato et al. also discloses playitems

        and sub-playitems recorded on the computer readable medium.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Heather R. Jones whose telephone number is 571-272-

7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and

every other Fri.: 7:00 a-3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Miller can be reached on 571-272-7353. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
Art Unit 2621

HRJ
February 19, 2008

JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600